

Marmon/Keystone Corporation

THE PIPE AND TUBING PEOPLE

TIMOTHY J. WAMBA
Branch Manager

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Anthony Carter
28 Monticello Blvd.
New Castle, DE 19720

February 16, 2004

Dear Tony,

You are well aware that your employment at Marmon/Keystone is currently suspended pending investigation due to the unsafe operation of an overhead crane by you on Friday, February 13, 2004. The incident involved your operation of the overhead crane that was run into a scissors lift with an electrician in the basket at the time of operation.

I understand that you declined to offer a written statement to Tim Slaughter (Production Supervisor) as to the exact nature and circumstance of this event. We are taking the statements of all personnel present during this incident and your statement would benefit all concerned, including yourself. Additionally, I understand that there was a similar incident involving the same electrician with one of our cranes approximately three weeks ago and anything that you might know about this situation would also be helpful.

I ask that you reconsider your position regarding providing written statement to both incidents. I'm sure that you are equally interested in resolving this important matter as timely as possible.

Timothy J. Wamba
Branch Manager



A member of The Marmon Group of companies

EXHIBIT
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To: Timothy J Wamba
100 Steel Dr
New Castle, DE 19720

I am responding to a letter received about an incident on 2/13/04. I want to start by saying I did not decline a written statement to my supervisor Tim Slaughter on 2/13/04. The incident happened at approximatley 3:00 pm. I left work at 4:30pm arriving at home at approximately 5:05 pm. Upon arriving home a message was on my answering machine from Tim Slaughter asking for me to call back by 5:00pm. I tried around 5:05 and his answering machine picked up. I no sooner hung up the phone and he called me back. I advised him I was on my way out and he said I needed to come back to take a drug test. I asked why, and he advised because of the incident that happened today. I asked when it had to be done and he stated that evening. At no time did he say I would need to make a statement, I did let him know I was on my way out with my boy's to a basketball game and to get dinner, for them but would stop by and pick up the slip and get directions. Upon arriving at work at approximately 6:50 Tim Slaughter advised me he is also needing a

written statement telling my side of what happened. I did advise it was already almost 7:00pm and I had my boy's in the car and they still have not had dinner and I still had to have the test done. I did arrive at Newark Emergeny at approximately 7:30pm. I was told that they could not do the test there because they didn't have a technician but would call one to come in. Tim Slaughter did arrive at the Newark Emergency room approximately 10 minutes after I arrived. We waited till approximately 9:40 when the technician finally arrived. At no time while waiting did he mention writting a statement.

As far as for my statement as to what happened. When working the crane to move material I heard the electrician yell who was on the scissor lift. I stopped immediately because I was not sure what he was yelling. I went over to him to see what was wrong. When leaving the crane box I looked up and saw the crane by the scissor lift. I asked him if he was alright and he said yes. He responded yes, but this is the second time this has happened but he was ok. He proceeded back to work and I waited until he was finished his job and I went back to work.

I understand this same thing happened approximately three weeks ago & you believe I may know something. I was not aware of this and have no knowledge of the incident.

Tony Carter, Sr.

